

## CITY OF ALPINE REGULAR CITY COUNCIL MEETING 803 W. Holland Avenue, Alpine, Texas 79830

Tuesday, June 7, 2022 - 5:30 P.M.

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a workshop and special meeting at 5:30 P.M. on June 7, 2022, in City Council Chambers, at 803 West Holland Avenue, in the City of Alpine, Texas for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act (Government Code Sec. 551.043). PUBLIC NOTICE - THE USE OF CELLULAR PHONES AND ELECTRONIC EQUIPMENT IS PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL EXCEPT FOR PURPOSES EXPLICITLY AUTHORIZED BY STATE LAW (TEXAS GOVERNMENT CODE SEC. 551.023). This meeting will be conducted in accordance with the official Rules of Decorum for City Council Meetings available at www.cityofalpine.com/decorum. Public Comments are limited to agenda items only. Individuals who wish to address the City Council may do so by completing a Public Comment Card and by placing the completed card on the City Secretary's desk not later than five minutes before the commencement of the meeting. The Public Comment Card may also be completed online at www.cityofalpine.com/councilcomments. A Public Comment Card is not required for speakers who wish to comment on a Public Hearing item. When speakers are acknowledged, please approach the microphone at the podium and state your name and Ward for the record. Public Comments are limited to 3 minutes per person, and a bell will signal the end of each speaker's time. Please conclude speaker comments promptly when the bell rings. State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda, but if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED. The Mayor and/or City Council Members may call a point of order to stop personal attacks. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred.

## WORKSHOP - 5:30 P.M.

- 1. Call to Order and Pledge of Allegiance to the Flag.
- 2. Determination of a Quorum and Proof of Notice of the Meeting.
- 3. Workshop -
  - Fiscal Year 2022-2023 Budget Workshop.
- 4. Adjourn Work Session.

## REGULAR CITY COUNCIL MEETING - 6:00 P.M.

- 1. Call to Order.
- 2. Determination of a Quorum and Proof of Notice of the Meeting.
- 3. Public Comments (limited to 3 minutes per person)
- 4. Presentations, Recognitions, and Proclamations -
  - 1. Proclamation honoring the victims of the Uvalde, Texas shooting (C. Eaves, Mayor)
- 5. Reports -

## **City Mayor Report**

- HOT Workshop
- Swimming Pool
- Rio Grande Council of Governments Block Grant
- Meet with the Mayor

## **City Attorney Report**

- Annexation Law Update
- Municipal Court Update

## City Manager Report

City Updates

## **City Staff Update**

- Animal Services Report by Animal Services Supervisor, Jennifer Stewart
- Visitor Center Report by Visitor Center Coordinator, Heather Yadon

## 6. Public Hearings -

- Public Hearing to obtain citizen views and comments on the second and final reading of Ordinance 2022-05-02, an ordinance amending Chapter 10 - Animals; Amending Article I - In General, Amending Article IV - Dangerous Animals; Providing an updated dangerous dog determination process and providing updated definitions.
- 2. Public Hearing to obtain citizen views and comments on a large animal permit application allowing the applicant, Asgeir Asgeirsson, to possess a horse, a mule, and a steer within the City limits. The property in question is located at 1603 Old Marathon Highway.
- 7. Consent Agenda (Minutes, Financial reports, Department written reports, board appointments, etc.) Notice to the Public The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.
  - 1. Approval of May 17, 2022, Regular Meeting Minutes (G. Calderon, City Secretary)
  - 2. Approval of Human Resources Coordinator Job Description (M. Antrim, City Manager)
  - 3. Approval of donation of six stalker dual radar units and ten rifle resistant body armor to the Alpine Police Department from the Texas Department of Public Safety (M. Antrim, City Manager)

## 8. Information or Discussion Items

- 1. Regional EMS Analytical Research Discussion by Executive Director of the Big Bend Regional Hospital District, J.D. Newsom (J. Stokes, City Council)
- 9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to 10 per meeting).
  - Approve the second and final reading of Ordinance 2022-05-02, an ordinance amending Chapter 10 - Animals; Amending Article I - In General, Amending Article IV - Dangerous Animals; Providing an updated dangerous dog determination process and providing updated definitions (J. Stokes, City Council)
  - 2. Approve Resolution 2022-06-01, a resolution supporting the wilderness designation for undeveloped areas of Big Bend National Park (J. Stokes, City Council)
  - 3. Approve Resolution 2022-06-02, a resolution adopting an amended swimming pool fee schedule for the Fiscal Year 2022 for the Alpine Municipal Swimming Pool (M. Antrim, City Manager)

- 4. Approve the use of Bojorquez Law Firm to assist with the development of an Extraterritorial Jurisdiction agreement with Brewster County (M. Antrim, City Manager)
- 5. Approve a large animal permit application allowing the applicant, Asgeir Asgeirsson, to possess a horse, a mule, and a steer within the City limits. The property in question is located at 1603 Old Marathon Highway (M. Antrim, City Manager)
- 10. <u>City Council Member Comments</u> No discussion or action may take place.

**NOTICE:** The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

- 11. <u>Executive Session</u> None.
- 12. Action Executive Session None.
- 13. Adjourn.

## **CERTIFICATION**

I, Geoffrey R. Calderon, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public and to the City website at <a href="www.cityofalpine.com">www.cityofalpine.com</a> pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on <a href="June 3">June 3</a>, 2022, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Office of the City Secretary at (432) 837-3301, option 1, or email <a href="mailto:city.secretary@ci.alpine.tx.us">city.secretary@ci.alpine.tx.us</a> for further information.





## **SECTION OVERVIEW**

- 1. Call to Order.
- 2. Determination of a Quorum and Proof of Notice of the Meeting.
- 3. <u>Public Comments</u> (limited to 3 minutes per person)
- 4. Presentations, Recognitions, and Proclamations
  - a. Proclamation honoring the victims of the Uvalde, Texas shooting (C. Eaves, Mayor)
- 5. Reports -

## **City Mayor Report**

- HOT Workshop
- Swimming Pool
- Rio Grande Council of Governments Block Grant
- Meet with the Mayor

## **City Attorney Report**

- Annexation Law Update
- Municipal Court Update

## **City Manager Report**

• City Updates

## **City Staff Update**

- Animal Services Report by Animal Services Supervisor, Jennifer Stewart
- Visitor Center Report by Visitor Center Coordinator, Heather Yadon



## By Catherine Eaves, City of Alpine Mayor

WHEREAS, the City of Uvalde, the state of Texas, and the nation at-large have suffered a crippling blow due to the recent Robb Elementary School shooting in Uvalde, Texas, where a gunman senselessly opened fire on students and staff; and

WHEREAS, the City Council of the City of Alpine and our community grieve with others around the country in the wake of the reprehensible shooting, especially the community of Uvalde for the loss of the nineteen children and two educators; and

WHEREAS, the City also recognizes the families, friends, and community members who will forever be affected by the events that occurred on May 24, 2022; and

WHEREAS, at this critical time, we must resist the impulse to let this tragedy divide us and instead unite to find a way to bring justice and peace together; and

WHEREAS, the City honors the victims of the tragedy in Uvalde, Texas, and stands in solidarity with the victims' families, the survivors, and the community of Uvalde, Texas.

NOW, THEREFORE I, Catherine Eaves, Mayor of the City of Alpine Texas, on behalf of the community, do hereby recognize June 5, 2022 to June 11, 2022, as

## **#UvaldeStrong Week**

In Alpine, Texas, and urge the community to honor the victims of this terrible tragedy, and to stand in solidarity with the community of Uvalde, Texas.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of June in the Year 2022.

Catherine Eaves, Mayor





## REPORTS

- 1. City Mayor Report
  - HOT Workshop
  - Swimming Pool
  - Rio Grande Council of Governments Block Grant
  - Meet with the Mayor

## **BACKGROUND**

1. None.

## **SUPPORTING MATERIALS**

1. None.

## STAFF RECOMMENDATION



## **REPORTS**

- 1. City Attorney Report
  - Annexation Law Update
  - Municipal Court Update

## **BACKGROUND**

1. None.

## SUPPORTING MATERIALS

1. None.

## STAFF RECOMMENDATION



## **REPORTS**

- 1. City Manager Report
  - City Updates

## **BACKGROUND**

1. None.

## **SUPPORTING MATERIALS**

1. City Updates Slide Presentation to be presented during the meeting. The presentation will be posted to <a href="https://www.cityofalpine.com/reports">www.cityofalpine.com/reports</a>.

## **STAFF RECOMMENDATION**



## REPORTS

| 1. | City | Staff | Updates |  |
|----|------|-------|---------|--|
|----|------|-------|---------|--|

• Animal Services Report by Animal Services Supervisor, Jennifer Stewart

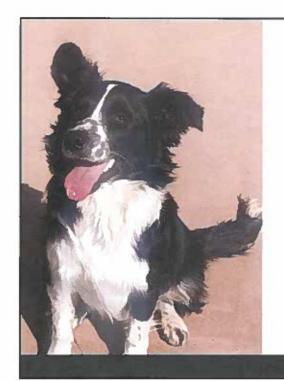
## **BACKGROUND**

1. None.

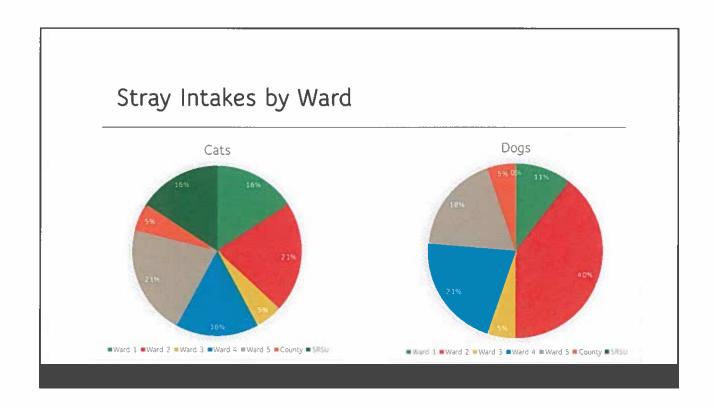
## **SUPPORTING MATERIALS**

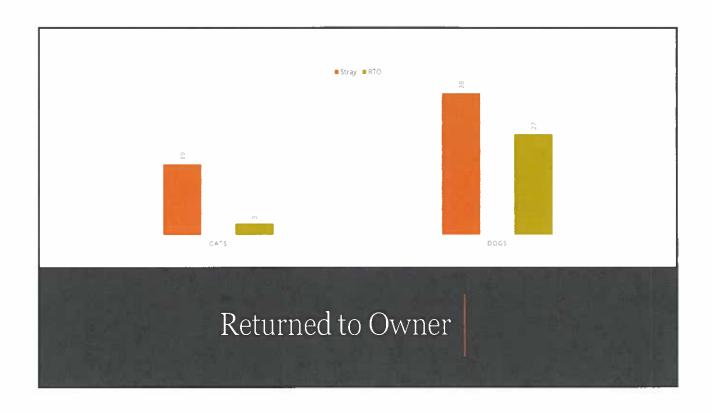
1. Slide presentation by Animal Service Supervisor.

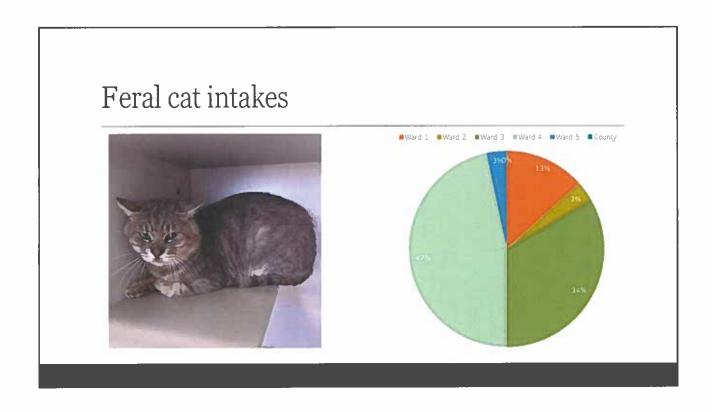
## STAFF RECOMMENDATION



## Alpine Animal Services 2022 1<sup>st</sup> Quarterly Report





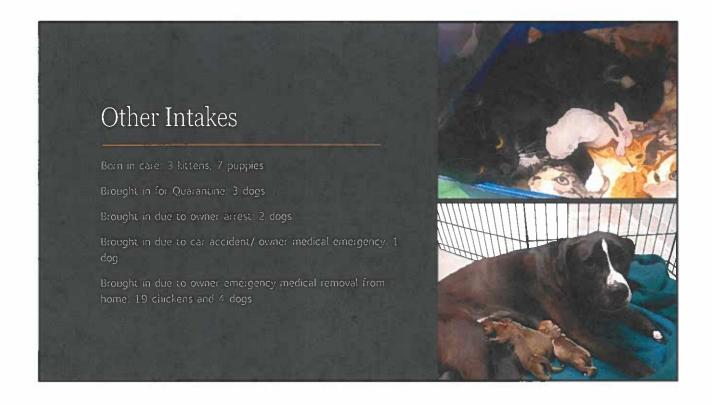




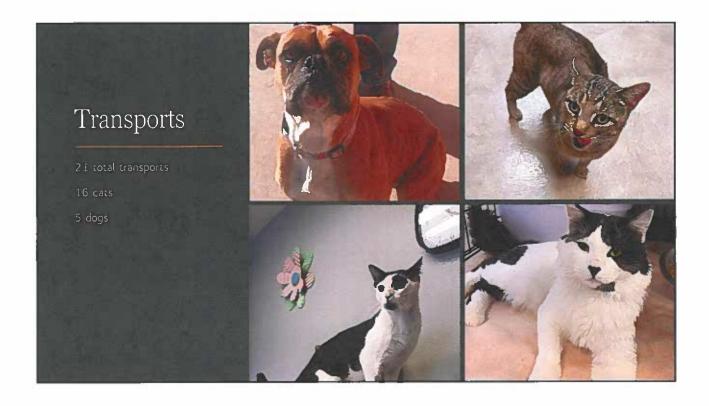


## Surrenders

4 cats surrendered9 dogs surrendered





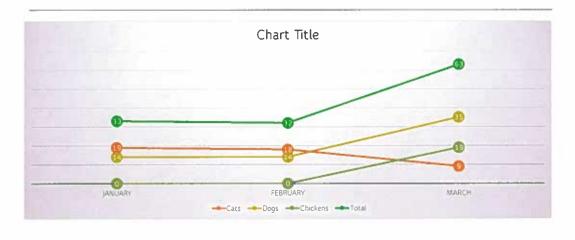


## Other Outcomes

Died in care: 1 kitten due to illness

Euthanized: 1 kitten due to illness, 1 young cat due to illness, 1 adult cat due to illness

## End of the month shelter counts Jan-March

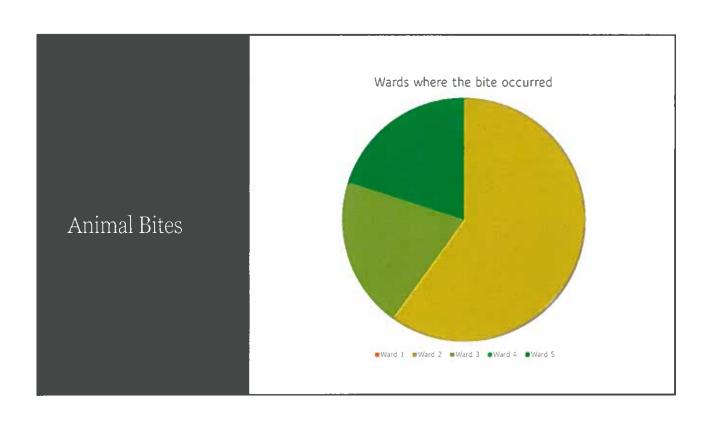


## Microchips

We placed 12 microchips for the public

- 4 dogs
- 8 cats





## Citations issued

14 total citations issued

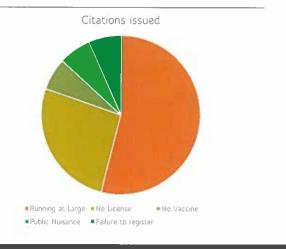
Running at large:7

No license: 4

No vaccine: 1

Public nuisance: 1

Failure to register dangerous dog: 1



## Monthly PSAs

January- Deer

February- Microchipping

March- Fleas and Ticks

## OH, DEER!

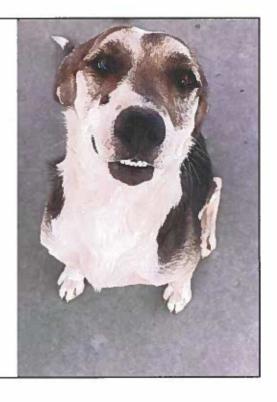
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Questions?





## **REPORTS**

- 1. City Staff Updates
  - Visitor Center Report by Visitor Center Coordinator, Heather Yadon.

## **BACKGROUND**

1. None.

## SUPPORTING MATERIALS

- 1. Visitor Center Report by Visitor Center Coordinator.
- 2. Slide presentation by Visitor Center Coordinator.

## **STAFF RECOMMENDATION**

## **Alpine Visitor Center**

March 2022 Visitors #598

March 2021 Visitors #269

March 2020 No #'s Covid

## **Visitor Center Addition**

The addition to the Alpine Visitor Center is complete!

- -Approved April 2021
- -Started October 2021
- -Completed April 2022
- -Cost \$280,599

## **Visit Alpine Pavilion**

The pavilion is available for use for public events that will promote tourism or provide entertainment for tourist. Since the work was completed, we have already received requests for use and started hosting events.

- -International Beer Day
- -Community Band Concert
- -Alpine Downtown Association Mixer
- -M.U.S.I.C Circle

## Earth Day

Visit Alpine partnered with Keep Alpine Beautiful and the Park Board to help put on the community Earth Day event at Kokernot Park.

- -Music entertainment
- -Painting project and games for kids
- -Informational booth
- -Dark skies coloring book display and distribution

## Cowboy Poetry

Visit Alpine had an information table Friday and Saturday during the Cowboy Poetry. We created a new flyer highlighting future events that people attending the gathering might be interested in coming back for. This was in addition to the popular literature I usually have like the restaurant guide, mural tour, Hancock Hill, etc. I also carried performances live on Facebook.

## **Spirits of the West**

Visit Alpine had an informational booth on Saturday during the inaugural Spirits of the West Wine and Beef Festival. Next year we would like to look into expanding our time there to more days.

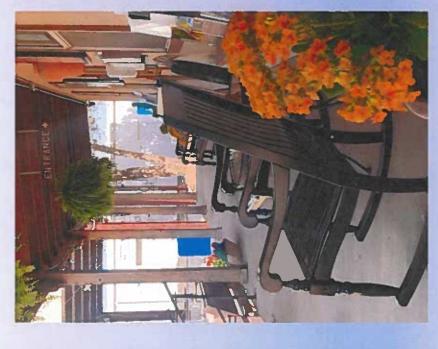
## **Spirits of the West Promos**

Visit Alpine partnered with Artwalk to hire Rasor Creative to shoot and edit promos for Spirits of the West. In total they did 12 short promos that were put on social media, footage for a commercial spot, and a press kit that provided news stations with 3 versions of the story they could air. I assisted with 2 days of on site shoots, logging of the interviews, and producing the press kit materials. Here is a look at some of the finished products.

First 3 of the social media promos

News piece included in the press kit

# Visitor Center Addition

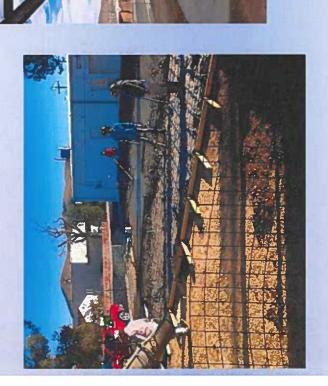






# Visitor Center Construction

Approved April 2021 Started October 2021 Completed April 2022 Cost \$280,599









# Visit Alpine Pavilion



International Beer Day



# Visit Alpine Pavilion





# Alpine Downtown Association Mixer

Visit Alpine Pavilion

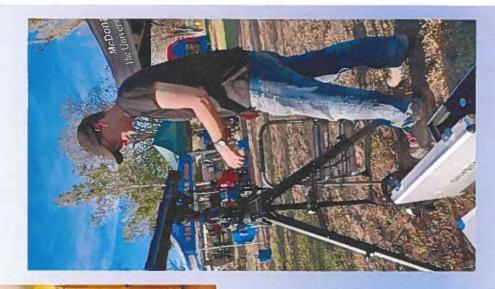
# Visit Alpine Pavilion



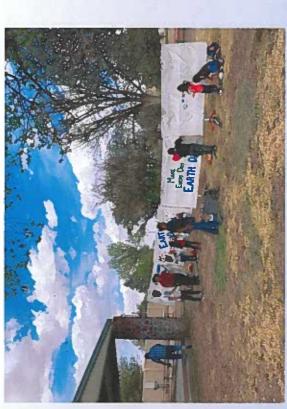








# Earth Day 2022





# Cowboy Poetry



# Spirits of the West



















## **SECTION OVERVIEW**

## 6. Public Hearings -

- Public Hearing to obtain citizen views and comments on the second and final reading of Ordinance 2022-05-02, an ordinance amending Chapter 10 - Animals; Amending Article I - In General, Amending Article IV - Dangerous Animals; Providing an updated dangerous dog determination process and providing updated definitions.
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## **SECTION OVERVIEW**

- 7. Consent Agenda (Minutes, Financial reports, Department written reports, board appointments, etc.) Notice to the Public The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.
  - 1. Approval of May 17, 2022, Regular Meeting Minutes (G. Calderon, City Secretary)
  - 2. Approval of Human Resources Coordinator Job Description (M. Antrim, City Manager)
  - 3. Approval of donation of six stalker dual radar units and ten rifle resistant body armor to the Alpine Police Department from the Texas Department of Public Safety (M. Antrim, City Manager)



## **CONSENT AGENDA**



## **BACKGROUND**

1. None.

## **SUPPORTING MATERIALS**

1. May 17, 2022, Regular Meeting Minutes.

## STAFF RECOMMENDATION

1. APPROVE.

## City of Alpine Regular City Council Meeting Tuesday, May 17, 2022 Minutes

- 1. Call to Order & Pledge of Allegiance Mayor Andres Ramos called the meeting to order at 5:30 P.M. The meeting was held at City Council Chambers located at 803 West Holland Avenue and via Zoom conference in the City of Alpine, Texas. Mayor Ramos led the pledge of allegiance to the flags.
- 2. Determination of a Quorum and Proof of Notice of the Meeting -

## City Council Members Present:

Mayor Andres Ramos Mayor-Elect Catherine Eaves Councilor Judy Stokes Councilor Chris Rodriguez Councilor Sara Tandy Councilor Martin Sandate Councilor Jerry Johnson

## **City Staff Present:**

Megan Antrim, City Manager Geoffrey R. Calderon, City Secretary Darrell Losoya, Chief of Police Keith Segar, Director of Utilities Chris Ruggia, Director of Tourism Abel Hinojos, Airport Supervisor

Not Present: None.

City Secretary, Geoffrey Calderon, announced that a quorum of the City Council was present at the City Council Chambers and reported that the meeting agenda was posted by 2:00 P.M. on May 13, 2022.

- 3. <u>Public Comments</u> (limited to 3 minutes per person) None.
- 4. Canvass of May 7, 2022, General City Election.
  - 1. Approve Ordinance 2022-05-01, an Ordinance canvassing the returns and declaring the results of the May 7, 2022, General Election held for the purpose of electing citizens of Alpine to the offices of City Council Member Ward 2, City Council Ward 4, and Mayor (M. Antrim, City Manager)

RESOLUTION 2022-05-15: On a motion by Councilor Johnson and seconded by Councilor Stokes to approve, the City Council unanimously voted to adopt the motion.

- 5. Issuance of Certificate of Election & Signing of the Statement of Elected Official.
- 6. Swearing in of newly elected officials by the Honorable Judge Roy Ferguson.
- 7. Presentations, Recognitions, and Proclamations
  - 1. Presentation to the Honorable Mayor Andres "Andy" Ramos for his 6 years of service to the City of Alpine (C. Eaves, Mayor)
- 8. Reports Copies of presentations displayed during the meeting are posted on the City website at www.cityofalpine.com/reports -

Council minutes: 05-17-2022

Approved: 06-07-2022

## City Mayor Report.

## City Attorney Report.

## City Manager Report.

- City Updates
- Finance Report

## City Staff Updates.

- Building Services Report by Permit Technician, Jessica Boorse
- Environmental Services Report by Environmental Services Coordinator, Adelina Beall
- 9. Public Hearings None.
- 10. Consent Agenda (Minutes, Financial reports, Department written reports, Board appointments, etc.) (Notice to the Public The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.)
  - 1. Approval of May 10, 2022, Workshop & Special Meeting Minutes (G. Calderon, City Secretary)

**RESOLUTION 2022-05-16:** On a motion by Councilor Rodriguez and seconded by Councilor Johnson to approve the May 10, 2022 minutes, the City Council unanimously voted to adopt the motion.

## 11. <u>Information or Discussion items</u> –

- 1. Parks & Recreation Board Update by Chair, Darin Nance (M. Antrim, City Manager)
- 12. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items are limited to 10 per meeting.)
  - Approve the first reading of Ordinance 2022-05-02, an ordinance amending Chapter 10 -Animals; Amending Article I - In General, Amending Article IV - Dangerous Animals; Providing an updated dangerous dog determination process and providing updated definitions (J. Stokes, City Council)
    - **RESOLUTION 2022-05-17:** On a motion by Councilor Rodriguez and seconded by Councilor Tandy to approve, the City Council unanimously voted to adopt the motion.
  - 2. Approve Resolution 2022-05-14, a resolution authorizing the City to participate in the United States Department of Agriculture Rural Development Community Facilities Grant Program (M. Antrim, City Manager)

Council minutes: 05-17-2022

Approved: 06-07-2022

**RESOLUTION 2022-05-18:** On a motion by Councilor Rodriguez and seconded by Councilor Sandate to approve, the City Council unanimously voted to adopt the motion.

3. Approve TxShare Interlocal Purchasing Agreement (M. Antrim, City Manager)

**RESOLUTION 2022-05-19:** On a motion by Councilor Rodriguez and seconded by Councilor Johnson to approve, the City Council unanimously voted to adopt the motion.

- 13. <u>City Council Member Comments</u> No discussion or action may take place.
- 14. Executive Session None.
- 15. Action Executive Session None.

There being no further business, the meeting was adjourned.

16. Adjourn. (6:43 P.M.)

|                        | ATTEST:                              |  |
|------------------------|--------------------------------------|--|
|                        |                                      |  |
| Catherine Eaves, Mayor | Geoffrey R. Calderon, City Secretary |  |

#### **CERTIFICATION**

I, Geoffrey R. Calderon, hereby certify that this notice was posted at City Hall, a convenient and readily accessible place to the general public, and to the City website at <a href="www.cityofalpine.com">www.cityofalpine.com</a> pursuant to Section 551.043, Texas Government Code. The said notice was posted at <a href="2:00 P.M.">2:00 P.M.</a> on <a href="May 13, 2022">May 13, 2022</a>, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting. This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Office of the City Secretary at (432) 837-3301, option 1, or email <a href="mailto:city.secretary@ci.alpine.tx.us">city.secretary@ci.alpine.tx.us</a> for further information.

Geoffrey R. Calderon, City Secretary

Council minutes: 05-17-2022

Approved: 06-07-2022



## **CONSENT AGENDA**



## **BACKGROUND**

1. None.

## **SUPPORTING MATERIALS**

1. Human Resources Coordinator Job Description. The job description is the same job description that was passed in 2018 with additions in yellow.

## **STAFF RECOMMENDATION**

1. APPROVE.

#### **Human Resources Coordinator**

Department: Administration Division: Human Resources Supervisor: City Manager Salary: Non-Exempt

Status: Full-Time

\$33,280.00 - \$48,058.00 Annually \$2,773.33 - \$4,004.83 Monthly \$16.00 - \$23.10 Hourly

<u>Education and Experience</u>: A minimum of a High School diploma or GED is required, a bachelor's degree in Human Resources, Business Administration, Public Administration or a related field is preferred. Five or more years progressive experience in the human resources field.

<u>Licenses and Certificates</u>: This position requires a Texas Class "C" Driver's License. Professional certification is preferred (PHR, SPHR, SHRM-CP, SHRM-SCP)

#### **General Purpose**

The HR Coordinator shall work under the direct supervision of the City Manager. This is a highly independent and responsible position. Performs HR related duties including but not limited to employment, recruitment, benefits, compensation, training, employee wellness, data analysis/reporting, risk management and policy administration. Will occasionally work with the Finance Department on special projects. This position requires an extremely perceptive, analytical and confidential person who is capable of relating to individuals and all levels within the organization. Provides information, recommendations, and technical assistance to City management, attends all meetings related to City Management. Assists in preparing and monitoring department budgets as they relate to Human Resources.

### **Typical Duties**

- Plans, organizes and directs the operations of the Human Resources Department for the city.
- Ensures compliance with City, State and Federal legislation regarding all aspects of human resource management law through personal research or consultation with outside agencies or resources.
- Develops and administers the City's personnel policies; ensures compliance by departmental supervisory staff and ensures policy changes are communicated to employees.
- Counsels with employees and supervisors regarding all aspects of employee relations, training, payroll issues and employee benefits.
- Prepares and delivers presentations to City management and/or officials regarding human resources policies and practices.
- Oversees the recruiting, interviewing and processing of applicants for all vacant positions.
   Ensures job descriptions are up to date and accurate by working with department management staff.
- Conducts and/or oversees, internal investigations regarding policy violations; prepares documents with findings of such investigations; recommends appropriate disciplinary action for all policy violations based on findings of internal investigations. Attends and represents the City's interest in all employee grievance procedures.
- Prepares the salary and benefit information for annual operating budgets for all departments.
- Assist with various training and development needs and partner with Departmental Directors to
  ensure appropriate training, development and organizational tools are in place.

#### **Human Resources Coordinator**

Department: Administration Division: Human Resources Supervisor: City Manager

Salary: Non-Exempt Status: Full-Time \$33,280.00 - \$48,058.00 Annually \$2,773.33 - \$4,004.83 Monthly \$16.00 - \$23.10 Hourly

- Comply with federal, state, and local legal requirements by keeping abreast of existing and new legislation; anticipating legislation; enforcing adherence to requirements; advising management on needed actions.
- Reviews and evaluates submitted changes pertaining to employee pay, leave, and/or benefits; ensures requested changes comply with applicable regulations, rules, and guidelines.
- Prepares and posts job openings; coordinates recruitment advertising including online, print, and special publication advertisements; updates the City's employment opportunity webpage; and submits job postings via City social media platforms.
- Coordinates eligibility and background testing and skills assessment. Schedule and conduct new employee orientation and process all new hire paperwork.
- Liaises with City departments throughout the recruitment process; screens and refers applications received to hiring departments.
- Processes workers' compensation claims including reporting employee injuries and submitting related documentation; calculates lost-time benefits.
- Coordinates return to work and modified duty programs for injured employees.
- Creates, updates, and maintains employee personnel files; oversees the Department's records management function; responds to open record requests.
- Monitor employee performance evaluations and ensure timely completion.
- Coordinates employee engagement, volunteer and recognition activities and programs.
- Compiles and analyzes statistical data; prepares and maintains a variety of monthly and quarterly human resources reports.
- Regular and timely attendance is required, as well as, the ability to get along with others in a professional and cordial manner.
- Assists in responding to benefits inquiries and assists employees in resolving benefits issues; processes changes to individual employee benefits.
- Prepare and reconcile employee benefit (TMRS, Health Insurance, Dental/Vision Insurance, Life Insurance, Cafeteria Plan) monthly invoices and submit to Finance for payments.
- Assists with city functions and special events as required or necessary.
- Performs other duties as required or necessary.

#### Knowledge, Skills, and Abilities

- Application of good knowledge of the American Disabilities Act in regard to employment, citizens' complaints and requests for accommodations.
- Application of good knowledge of risk management operations including workers' compensation, liability, policy administration, insurance needs analysis and leave benefits (FMLA, short and long-term disability).
- Application of good knowledge of the principles, practices, theories and governing regulations of human resources.
- Application of some knowledge of public relations methods.
- Application of good knowledge of city, state, or federal regulations and City ordinances, rules, regulations and standards.
- Application of good knowledge of research methods.
- Knowledge in leadership, organizational, negotiation, policy making and budgetary skills.

#### **Human Resources Coordinator**

Department: Administration Division: Human Resources Supervisor: City Manager Salary: Non-Exempt

Status: Full-Time

\$33,280.00 - \$48,058.00 Annually \$2,773.33 - \$4,004.83 Monthly \$16.00 - \$23.10 Hourly

- Proven experience in developing and leading teams of people to accomplish human resources objectives.
- Communicate effectively, both orally and in writing, in a clear and professional manner.
- Prepare a variety of reports related to Human Resources activities.
- Establish and maintain effective working relationships with coworkers, officials, customers, other city departments, and the general public.
- Knowledge of proper safety practices, procedures, and regulations applicable to work being performed.
- Skill in resolving problems or situations requiring the exercise of good judgment.
- Proven experience in managing multiple projects, meeting deadlines and prioritizing work assignments.
- Exercise sound independent judgment within general policy and administrative guidelines
- Skill in creating a professional team that is progressive, proactive and result driven and lead staff to provide an inclusive workplace that fosters the development of others, facilitates cooperation and teamwork and supports constructive resolution of conflicts.

#### Other Job Characteristics

- Lift and carry items up to 50 pounds.
- Advanced computer skills and software knowledge (MS Office).
- Occasionally work flexible hours, weekends, holidays, and extended hours.
- Occasional exposure to irate members of the public.
- Operation of a motor vehicle through City traffic.

Job description statements are intended to describe the general nature and level of work being performed by employees assigned to this job title. They are not intended to be construed as an exhaustive list of all responsibilities, duties and skills required.

#### **ACKNOWLEDGEMENT**

As evidenced by my signature below, I have read my job description and have fully understood my duties and responsibilities related to my employment with the City of Alpine. I also acknowledge that I am qualified to perform these duties and, with or without reasonable accommodation, can perform the essential functions of this position as described. Further, I understand that if, at any time, I am unclear as to what my job duties and responsibilities are, or what is expected of me, I will notify management immediately to interpret these duties and expectations.

| Employee Signature & Date | Employee's Printed Name |
|---------------------------|-------------------------|



## **CONSENT AGENDA**

3. Approve donation of six stalker dual radar units and ten rifle resistant Body Armor to the Alpine Police Department from the Texas Department of Public Safety (M. Antrim, City Manager)

## **BACKGROUND**

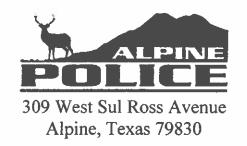
1. None.

## **SUPPORTING MATERIALS**

1. Letter from Chief of Police to Texas Department of Public Safety.

## STAFF RECOMMENDATION

1. APPROVE.



Chief Darrell R. Losoya Telephone (432) 837-3486

losoya.police@ci.alpine.tx.us Fax (432) 837-2616

April 29, 2022

Major Bruce James 5805 N. Lamar Austin, TX 78752

**Reference: DPS Surplus** 

Alpine Police Department was recently made aware that DPS has surplus equipment that may be acquired by my agency. My department is in need of equipment and I respectfully request the donation of the equipment. My agency cannot currently afford the purchase of the equipment due to lack of funds in our budget.

6 – Stalker Dual Radar Units (including counting unit, front & rear antennas, remotes, cables, and mounting brackets)

10 - Rifle Resistant Body Armor

If additional information is needed please let me know. Thank you for your assistance.

Sincerely,

Chief Darrell R. Losoya Alpine Police Department

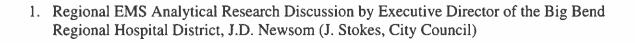
## **SECTION OVERVIEW**

## 8. Information or Discussion Items

1. Regional EMS Analytical Research Discussion by Executive Director of the Big Bend Regional Hospital District, JD Newsom (J. Stokes, City Council)



## **INFORMATION OR DISCUSSION**



## **BACKGROUND**

1. None.

## **SUPPORTING MATERIALS**

1. Big Bend Regional Hospital District - Regional EMS Analysis.

## STAFF RECOMMENDATION

1. None.

## Big Bend Regional Hospital District Regional EMS Analysis

#### Summary of need:

The Big Bend region is vast area of great biodiversity which is so sparsely populated that it averages barely one person per square mile and has no major population centers. It is widely known and beloved across Texas and beyond for its iconic vistas, dark skies, and legendary deserts. Brewster, Presidio, and Jeff Davis Counties form the Tri-Counties of the Big Bend - these rural counties combined are almost 20,000 square miles. There are no major population centers in the Big Bend, Alpine in Brewster County is the population and economic hub of the region and hosts Sul Ross University and the only hospital in the region among other major employers. Presidio is the next largest population center located along the Texas-Mexico border in Presidio County with Marfa, Marathon, Fort Davis, Valentine, and Terlingua among the other small cities that make up the Tri-County area.

Big Bend National Park sees over 400,000 tourists annually, providing a major economic impact to the gateway cities and entire region. The local counties have an obligation to ensure adequate capacity meet the emergency health care needs of all residents and visitors. Currently there are 6 EMS agencies that provide EMS services to the region:

- > City of Presidio
- > Terlingua Fire and EMS (non-profit agency)
- City of Marfa
- County of Jeff Davis (volunteer service)
- > Emergent Air (serving Alpine and Northern Brewster County)
- Big Bend National Park EMS Service

The region's intrinsic geographic isolation and distance have led to a culture of non-coordination that inhibit progress. Generally, the lack of a unified regional vision is perhaps THE problem to solve when looking for solutions to issues faced by the local communities. Community leaders often feel disconnected, but don't want to be. It is believed that a regional, unified EMS operation is the long-term and sustainable solution to providing emergency health care, but much needs to be done to demonstrate the benefits and overcome the objections of all stakeholders. A regional EMS approach would help:

- > Provide economies of scale in purchasing, operational efficiencies, and recruitment of staff
- > Reduce and eliminate duplication of services (for example, only one medical director would be needed or overall number of ambulances)
- > Integrate operations to more effectively coordinate emergency services, mutual aid, disaster planning, and mass casualty events
- > Provide greater training opportunities and staff development
- > Be more competitive in staff recruitment, provide better pay and benefits, reduce competition for limited EMS personnel
- > Ability to schedule and plan capital acquisitions, sharing of resources, and labor needs

High-performance partnerships are going to be essential to solve regional challenges and provide sustainable and meaningful services to region's residents and visitors. An indication of how ingrained the disconnection is, partnerships are often viewed with suspicion. Particularly if too many of the players are "not from here," then credibility is often discounted. It will be imperative that each local community be able to provide input and buy-in to a regional approach. There must be willingness and openness to give up local control for a consolidated EMS solution.

#### **Project Proposal:**

#### Comparative Study/Analysis of Rural EMS provision in Texas

- Document existing framework of EMS service provision in the Tri-Counties
  - o Interviews with County Judges, EMS Directors, City Managers, etc.
  - o Analyze and compare existing budgets
  - Gather and analyze number of EMS calls, transports, service provision activities, and geographic scope, etc.
  - o Analyze capital costs i.e., number of ambulances and equipment for each agency. Looks at capital needs and costs over time and potential for cost consolidation.
  - o Compare levels of existing service provision (staff numbers, staff qualifications, equipment, number of ambulances, age of equipment, etc.)
  - Conduct SWOT of each organization determine common areas of challenges and opportunities, etc. (could be done during region strategy meeting)
  - O Are there gaps in service not identified or understood by governmental leadership? Do communities and residents have different understanding or needs/wants? What is the long term sustainability of current model where all are independent?
- > Research and determine other EMS models that can be implemented in Big Bend Region
  - o Interviews with County Judges, EMS Directors, City Managers, DSHS State EMS Director, TTUHSC Director of Emergency Medicine, etc.
  - o Focus on regional approaches to rural EMS provision and how regional entities formed approach, benefits, cost scaling, challenges, funding mechanisms, etc.
  - Create case for regional EMS provision including pro forma budget, staffing model, governance model, etc.
  - o Market study of EMS wages and recruitment of EMS personnel
  - Determine entity options Local governmental corporation, coordinated ESDs, independent 501(c)3, interlocal agreements between entities, hospital district, private partnerships?
- > Optional analysis Determine how the incorporation of Community Paramedicine program would improve health outcomes and gaps in access to health care in rural setting.
- > Propose and recommend new framework and strategic direction for regional EMS provision.
- > Present findings to community and governmental leadership.

## **SECTION OVERVIEW**

- 9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to 10 per meeting).
  - 1. Approve the second and final reading of Ordinance 2022-05-02, an ordinance amending Chapter 10 Animals; Amending Article I In General, Amending Article IV Dangerous Animals; Providing an updated dangerous dog determination process and providing updated definitions (J. Stokes, City Council)
  - 2. Approve Resolution 2022-06-01, a resolution supporting the wilderness designation for undeveloped areas of Big Bend National Park (J. Stokes, City Council)
  - 3. Approve Resolution 2022-06-02, a resolution adopting a swimming pool fee schedule for the Fiscal Year 2022 for the Alpine Municipal Swimming Pool (M. Antrim, City Manager)
  - 4. Approve the use of Bojorquez Law Firm to assist with the development of an Extraterritorial Jurisdiction agreement with Brewster County (M. Antrim, City Manager)
  - 5. Approve a large animal permit application allowing the applicant, Asgeir Asgeirsson, to possess a horse, a mule, and a steer within the City limits. The property in question is located at 1603 Old Marathon Highway (M. Antrim, City Manager)



To: Honorable Mayor and City Council

Agenda Item: Action Item 1 – Ordinance 2022-05-02

Agenda Sponsor: Judy Stokes, City Council

Memo Submitted By: Geoffrey Calderon, City Secretary

#### **SYNOPSIS**

Approve the second and final reading of Ordinance 2022-05-02, an ordinance amending Chapter 10 – Animals; Amending Article I – In General, Amending Article IV – Dangerous Animals; Providing an updated dangerous dog determination process and providing updated definitions.

#### **BACKGROUND**

- The Animal Advisory Board has recommended changes to the process of determining if an animal may be deemed a dangerous animal.
- Councilor Stokes is sponsoring the recommended changes, being the City Council representative on the Animal Advisory Board.
- The first reading of the ordinance passed unanimously at the May 17, 2022 City Council Meeting.

## **SUPPORTING MATERIALS**

1. Ordinance 2022-05-02.

## STAFF RECOMMENDATION

**APPROVE:** City Staff supports approval of this ordinance.

Animal Control / Services Supervisor Jennifer Stewart

City Manager Megan Antrim

City Secretary Geoffrey Calderon

#### **ORDINANCE 2022-05-02**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING CHAPTER 10 – ANIMALS; AMENDING ARTICLE I – IN GENERAL; AMENDING ARTICLE IV – DANGEROUS ANIMALS; PROVIDING FOR AN UPDATED DANGEROUS DOG DETERMINATION PROCESS AND DEFINITIONS.

WHEREAS, the Animal Advisory Board is composed of community members who advise the City Council on policy decisions that affect the health and safety of animals within the City; and

WHEREAS, the Animal Advisory Board has recommended changes to the City Council regarding City processes for dangerous dog determination that will provide enhanced public safety and animal welfare within the City; and

WHEREAS, it is deemed by the City Council to be in the best interest of the City to amend the current animal ordinances as recommended by the Animal Advisory Board.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS THAT:

## SECTION I FINDINGS OF FACT

Chapter 10 – Animals is hereby amended to reflect the changes hereto attached as Exhibit "A." The premises attached as Exhibit "A" are hereby found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

## SECTION II CUMULATIVE CLAUSE

This ordinance shall be cumulative of all provisions of the City of Alpine, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

## SECTION III SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council of the City of Alpine that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

#### **SECTION IV**

#### PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

## SECTION V EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by State and Local law.

PASSED AND ADOPTED THIS  $7^{TH}$  DAY OF JUNE 2022 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

| INTRODUCTION AND FIRST READING | SECOND AND FINAL READING             |
|--------------------------------|--------------------------------------|
| MAY 17, 2022                   | JUNE 7, 2022                         |
|                                | ATTEST:                              |
|                                |                                      |
| Catherine Eaves, Mayor         | Geoffrey R. Calderon, City Secretary |
|                                |                                      |
| APPROVED AS TO FORM:           |                                      |
|                                |                                      |
| Rod Ponton, City Attorney      |                                      |

#### **EDITOR'S NOTE:**

Additions are highlighted in Yellow and Underlined. Omissions appear in Red Strikethrough Text. Previous Editor's notes and codification references are Italicized in Red.

### **EXHIBIT "A"**

## **Chapter 10 ANIMALS**

## ARTICLE I. IN GENERAL<sup>1</sup>

#### Sec. 10-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Altered animal means an animal having been spayed or neutered.

Animal means any living vertebrate creature except human beings and with the exclusion of fish, amphibians, reptiles, caged birds and small rodents when kept as pets in a private residence, or enclosed in a commercial enclosure. The word "animal" shall mean only a mammal when referring specifically to the control of rabies.

Animal control officer or ACO means a duly authorized person responsible for the enforcement of this chapter including peace officers.

Animal shelter means any premises designated or operated by the city for the purpose of impounding and caring for animals under the authority of this chapter.

Attack means definite vigorous, aggressive action by a dog directly against a person or other animal which results in the infliction of bodily injury, or the threat of bodily injury, by such dog to a person or other animal.

Bee, bee keeping and bee hives means any of numerous hairy-bodied insects including social and solitary species, the cultivation of bees on any commercial scale for the production of honey or bees, and a hive is a manmade receptacle that houses a swarm of bees.

Bite means an abrasion, scratch, puncture, tear or piercing of the skin actually or suspected of being caused by the mouth of any animal.

City or City of Alpine means officials of the City of Alpine including, but not limited to, the city manager, the animal control officer, and any City of Alpine peace officer.

Collar means a band, chain, harness or other suitable device worn about the neck of an animal to which a current rabies vaccination registration tag can be affixed.

Continual noise or frequent or long continued noise means noise pollution, unwanted or excessive sound, a nuisance that interferes with activities, for example owning an animal that causes frequent or long-continued noise, by barking or howling, that disturbs the comfort of any person.

Current vaccination means vaccinated and satisfying the following:

- (1) The animal must have been at least three months of age at the time of vaccination.
- (2) At least 30 days have elapsed since the initial vaccination.
- (3) Not more than 12 months have elapsed since the most recent vaccination.

Dangerous animal means any animal that:

- (1) Has inflicted severe injury on a human being without provocation;
- (2) Has injured or killed a domestic animal without provocation; or
- (3) Has been previously found to be potentially dangerous, the owner having received notice of such and the animal again aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Potentially dangerous animal means any animal that when unprovoked:

- (1) Inflicts injury on a human or a domestic animal; or
- (2) Chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack; or
- (3) Has a known propensity, tendency, or disposition to attack, or to cause injury or otherwise to threaten the safety of humans or domestic animals.

Dangerous dog means a dog that:

- (1) Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and such acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Dilapidated means a building, structure or material that has fallen into partial ruin by neglect or misuse or into a condition of partial decay.

Dog means any member of the canis familiaris species.

Domestic animals means animal species which generally have their breeding controlled by people and which by their long association with people have been developed into breeds or types for specific uses by people.

Domesticated means a tame animal that is subject to the dominion and control of an owner and accustomed to living in or near human habitation without requiring extraordinary restraint or unreasonably disturbing such human habitation.

Dwelling means any building or portion thereof which is designed and used for residential purposes. An attached garage shall be deemed to be part of a dwelling.

Enclosed structure means a building or other similar structure that is fully enclosed with a roof in place to provide a degree of protection, and does not include a yard or fence.

Euthanasia means putting to death of an animal in a manner and method which does not cause pain nor take longer than one minute to effect unconsciousness or death, and is in compliance with the provisions of V.T.C.A., Health and Safety Code ch. 823. Shooting firearms into a pen or enclosure containing multiple animals is prohibited by the Texas Health and Safety Code and shall not satisfy the requirement under the definition of euthanasia or humane destruction of animals. Lethal injection and efficiently operating carbon monoxide chambers shall, throughout this chapter, be presumed to be the method of euthanasia employed by the city.

Euthanize means to kill in a humane manner.

Exotic animal means any animal that is not livestock or a domesticated animal and includes, but is not limited to, no matter how well-trained: all alligators and crocodiles; all bears; all cats other than the commonly accepted domesticated cats, including but not limited to cheetah, leopard, lion, lynx, panther, cougar, mountain lion, bobcat, and tiger; all dogs other than domesticated dogs, including but not limited to wolf, part wolf, fox, part fox, coyote, and part coyote; all porcupines; all nonhuman primates; all raccoons; all skunks; all venomous fish and piranha; all venomous snakes and lizards; and all weasels other than ferrets.

Exposed to rabies means an animal which has been exposed to rabies if it has been bitten by another animal or has been in contact with any animal known to be or suspected of being infected with rabies.

Feral animal means formerly domesticated animals and their offspring which have roamed at large for a sufficient period of time and with sufficient success at survival as to be deemed no longer domesticated.

Feral cat means a domestic cat who has been born and raised without contact with humans, or a cat who has not had contact with humans for a significant period of time and has become unsocialized. It can also mean a free-roaming domestic cat which is not owned.

Feral cat colony means any group of feral cats which have a keeper who is maintaining and caring for the feral cats by providing food and water and other forms of sustenance.

Feral keeper means any person or organization, harboring, regularly feeding or having in his or her possession any feral cat. A person becomes a "keeper" when any person has possession of or control over the animal and has fed the cat for three or more consecutive days. Also, a "keeper" can be any individual who permits a cat to habitually be or remain on or be lodged or fed within such persons property or premises.

Food means bread products, corn, fruit, oats, hay, nuts, wheat, alfalfa, salt blocks, feed, grain, vegetables, and commercially sold wildlife feed, or livestock feed, but excludes live naturally growing shrubs, live crops, plants, flowers, vegetation, gardens, trees, and fruit or nuts that have fallen on the ground or are within reach of wildlife.

Fowl means any domesticated bird used as food by people, such as chickens, ducks, turkeys, geese, guinea fowl, peafowl or pigeons.

Horse means any member of the equine family.

Humanely destroy means to cause the death of an animal by a method which:

- (1) Rapidly produces unconsciousness and death without visible evidence of pain or distress; or
- (2) Utilizes anesthesia produced by an agent which causes painless loss of consciousness and death following such loss of consciousness.

*Keep* or *harbor* means to have charge, custody or control of an animal or fowl, or permitting the animal or fowl to habitually remain or be lodged or fed within the house, store, yard, enclosure or place of the owner or occupant of the premises.

Kennel means any premises on which four or more dogs or four or more cats, four months of age or older, are kept; or where the business of buying, selling, breeding, grooming, training or boarding of dogs or cats is conducted. The term "kennel" does not include veterinary hospitals or humane societies.

Large livestock animal means cattle, horses, mules, beasts of burden, or any other similar domesticated animal.

License, registration or permit means a printed authorization issued by the city allowing the holder to keep the animal described within the corporate limits.

Livestock means domestic animals of the equine, bovine, ovine, caprine or porcine genera.

*Nuisance* means disturbing the peace, emitting noxious or offensive odors or otherwise endangering or being offensive to the environment of the city.

Own means to own, keep, harbor or have charge, custody or control of an animal or fowl.

Owner means any person who owns, harbors, keeps or causes or permits to be harbored or kept, or has in his care, an animal or bird on or about his premises or any person keeping, harboring, having charge or control of, or permitting to habitually be or remain on such person's premises any animal for a period of six consecutive days or more.

Pet animal means dogs, cats, birds, guinea pigs, hamsters, mice, snakes, iguana and turtles. Pet animal shall also include any domesticated animal that a person owns or that is sold or offered for sale for the purpose of being kept indoors as household pets.

#### Provoke, provoking, or Provocation means that:

(1) A situation or action that encourages, provokes or incites a dog to bite someone. It can also be actions that excite a dog or cause it to feel defensive, regardless of a person's intent.

Quarantine means to place an animal in a secure enclosure which precludes physical contact with any other animal.

Rabies means an acute viral disease of man and animal affecting the central nervous system and usually transmitted by an animal bite.

*Restrained* or *confined* means an animal restricted to the property of the owner or under the direct physical control of a competent person.

Retail sale means the business of selling pet animals directly to consumers of the public.

Run at large means free of physical restraint beyond an enclosed or fenced area; includes any animal that is not under the actual control of its owner.

Small livestock animal means swine, sheep, goats or any other domesticated or wild animal of smaller stature, except pet animals or fowl.

Stray means any animal running free with no physical restraint beyond the premises of the owner.

Swine means any member of the Suidae species.

Unaltered animal means an animal that has not been spayed or neutered.

Vaccination means the inoculation of an animal with a vaccine that is licensed by the United States Department of Agriculture, and which is administered by a veterinarian for the purpose of immunizing the animal against rabies.

*Veterinarian* means a veterinarian holding a current and valid license to practice veterinary medicine in the state.

Wild animal means any non-domestic animal.

Wildlife means any undomesticated animals living in the wild.

(Ord. No. 2008-11-01, § 1, 1-6-09; Ord. No. 2015-11-01, Exh. A, 6-21-16; Ord. No. 2021-03-02, § I(Exh. A), 3-16-21; Ord. No. 2021-05-03, § I(Exh. A), 7-20-21)

Cross reference(s)—Definitions generally, § 1-2.

### ARTICLE IV. DANGEROUS ANIMALS

#### Sec. 10-186. Dangerous dogs and animals deemed hazardous to public health and safety.

- (a) It shall be unlawful for any person to own, keep or harbor any dangerous animal within the city provided this section shall not apply to animals under the control of a law enforcement or military agency. For the purpose of this chapter, a dog may be declared dangerous by an animal control officer or his or her designee (hereinafter referred to as "animal control officer"), after the occurrence of an "incident" defined as either a dog attack causing bodily injury or the dog undertaking an action that causes one to reasonably believe that the dog would attack and cause bodily injury.
- (b) Dangerous dog determination.
  - (1) Once the city becomes aware of an alleged incident, an animal control officer shall complete a thorough investigation process that includes:
  - a. Within ten business days of the city becoming aware of an alleged incident, an animal control officer sending a notification to the dog owner describing the alleged incident, the fact of the initiation of an investigation, and an offer to afford the owner an opportunity to meet with the animal control officer prior to the making of a determination;
  - b. The animal control officer gathering any medical or veterinary evidence and interviewing witnesses; and
  - c. The animal control officer making a detailed written report.
  - (2) No dog shall be deemed a "dangerous dog" if the animal control officer determines the conduct of the dog during the incident was justified because:
  - a. The incident occurred as the result of a person who at the time was committing a crime or offense upon the owner or custodian of the dog, including crimes and offenses of willful trespass or other tort upon the premises or property occupied by the owner of the animal:

- b. The incident occurred as the result of a person abusing, assaulting, or physically threatening the dog or its offspring;
- c. The dog was responding to pain or injury or was protecting itself and was not being provoked by its owner, custodian, or a member of its household., its owner, custodian, or a member of its household, kennel or offspring; or
- d. The testimony of a certified applied behaviorist, board-certified veterinary behaviorist, or another recognized expert indicates to the satisfaction of the animal control officer that the dog's behavior was justified pursuant to the provisions of this section.
  - (3) If the information gathered by the animal control officer's investigation shows by a preponderance of the evidence that the dog should be deemed a "dangerous dog," the owner shall be sent immediate notification of the determination by registered or certified mail that includes a complete description of:
- a. The ownership requirements for a dangerous dog;
- b. The dog owner's right of appeal; and
- c. The option and process to surrender the dangerous dog.
- (c) Ownership requirements. If the dog is determined to be dangerous, the owner must:
  - (1) Within 24 hours, register the dog with an animal control officer and pay a \$100.00 fee;
  - (2) Immediately restrain the dog at all times on a leash in the immediate control of a person or enclose the dog either indoors, or in a secure enclosure, being a locked structure of sufficient height and design to prevent the dog's escape and to prevent direct contact with, or entry by, minors, adults or other animals;
  - (3) Within 24 hours, post signs around the secure enclosure with the words "dangerous dog" in font size 72 or larger; and
  - (4) Within 72 hours, obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000.00 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the animal control officer.
- (d) Appeal of dangerous dog determination.
  - (1) The owner of a dog found to be a dangerous dog by an animal control officer pursuant to this chapter may file a petition for review of the dangerous dog determination against the city in municipal court within ten days of receipt of notification of the determination for a de novo review of the determination.
  - a. The court shall give written notice of the time and place of any hearing to both the owner of the dog and the animal control officer.
  - b. The proceeding shall be conducted pursuant to the Texas Rules of Civil Procedure and Texas Rules of Evidence.
  - c. Any interested party, including the city attorney, is entitled to present evidence at the proceeding.
    - (2) After hearing all evidence, the court shall determine by preponderance of the evidence whether the dog is dangerous.

- (3) During the municipal court appeal process, the owner shall comply with the ownership requirements set forth in this chapter.
- (4) A dog owner or the city may appeal the decision of the municipal court in the manner described by V.T.C.A., Health and Safety Code § 822.0424.
- (e) The animal control officer may cause the muzzling, secure confinement, removal from the city or humane destruction of any animal for any of the following reasons:
  - (1) Whenever an animal has committed an unprovoked attack upon any person or animal on more than one occasion.
  - (2) Whenever a lawful patron or visitor of a business is jeopardized by a guard dog which is not securely confined during hours such business is open to the public.
- (f) Any dog which by an attack and regardless of circumstances causes the death of a person shall be deemed hazardous to public health and safety.
- (g) The owner of any dog deemed to be a hazard to public health and safety shall be held liable for all medical expenses and all other legally allowable damages incurred as a result of an attack by such dog upon a person.
- (h) The owner of any dog deemed to be a hazard to public health and safety shall be held liable for all veterinary medical expenses and all other legally allowable damages incurred as a result of an attack by such dog upon an owned domestic animal.
- (i) Any dog deemed to be a hazard to public health and safety shall be surrendered by the owner of such dog immediately upon demand to the city for purposes of euthanizing or shall be delivered by the owner of such dog to a licensed veterinarian for euthanizing, and the owner shall deliver a statement of euthanasia by the veterinarian to the city within 24 hours of receipt of request for the dog by the city.
- (j) Any dog maintained as a guard dog for purposes of property protection by the owner of such dog at a recognized business establishment and that bites or threatens to bite any person on the property of the business establishment at times other than the normal posted hours of operation of the business establishment shall not be considered a hazard to public health and safety provided such dog is physically securely confined to the boundaries of the property of the business establishment.
- (k) Dangerous dog removal fee. Any person given the option of removing an aggressive animal from the within the city limits instead of being humanely destroyed shall pay a fee of \$100.00 and all other assessed fees involving the dangerous animal.
- (l) Owner liability. Any owner or custodian of a dog or other animal is guilty of a:
  - (1) Class B misdemeanor if the dog previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, attacks and injures or kills a cat or dog that is a companion animal belonging to another person.
  - (2) Class A misdemeanor if the dog previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, bites a human being or attacks a human being causing bodily injury, thereby rendering the dog a hazard to public health and safety.

- (3) Class A misdemeanor if any owner or custodian whose willful act or omission in the care, control, or containment of a dog or other animal is so gross, wanton, and culpable as to show a reckless disregard for human life, and is the proximate cause of such dog or other animal attacking and causing serious bodily injury to any person, thereby rendering the dog a hazard to public health and safety.
- (4) Class A misdemeanor if the owner of any animal that has been found to be a dangerous dog willfully fails to comply with the requirements of this section, thereby rendering the dog a hazard to public health and safety.

(Ord. No. 2008-11-01, § 1, 1-6-09, Ord. No. 2020-10-01, § I(Exh. A), 10-20-20)



To: Honorable Mayor and City Council

Agenda Item: Action Item 2 - Resolution 2022-06-01

Agenda Sponsor: Judy Stokes, City Council

Memo Submitted By: Geoffrey Calderon, City Secretary

#### **SYNOPSIS**

Approve Resolution 2022-06-01, a resolution supporting the wilderness designation for undeveloped areas of Big Bend National Park.

### **BACKGROUND**

- Raymond Skiles of Keep Big Bend Wild and Bob Krumenaker, the Big Bend National Park Superintendent, presented a proposed wilderness designation for certain parts of Big Bend National Park at the May 10, 2022 City Council meeting.
- Councilor Stokes is sponsoring a resolution expressing the support of the wilderness designation
  due to the numerous benefits that the designation will provide to BBNP, Alpine, and the
  surrounding communities.

## **SUPPORTING MATERIALS**

1. Resolution 2022-06-01

### **STAFF RECOMMENDATION**

**APPROVE:** City Staff supports approval of this resolution.

City Manager

Megan Antrim

City Secretary

Geoffrey Calderon

#### COUNTY OF BREWSTER

#### **RESOLUTION 2022-06-01**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS SUPPORTING THE WILDERNESS DESIGNATION FOR UNDEVELOPED AREAS OF BIG BEND NATIONAL PARK.

WHEREAS, Big Bend National Park is a cornerstone attraction for tourism in the region, a fundamental driver for Alpine and the Big Bend area economy; and

WHEREAS, Open space is a fundamental value and attraction of the Big Bend area, and is the fundamental value and attraction of Big Bend National Park; and

WHEREAS, Federal wilderness designation provides the highest level of assurance that the existing open, undeveloped spaces of Big Bend National Park will remain intact in perpetuity; and

WHEREAS, the existing roads, trails, facilities, services, and recreational opportunities of the park will not be limited by wilderness designation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS THAT:

The City of Alpine supports the Keep Big Bend Wild initiative as presented to the City Council on May 10, 2022, to establish federally designated Wilderness status for undeveloped areas of Big Bend National Park.

PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE CITY COUNCIL ON THE 7<sup>th</sup> DAY OF JUNE 2022.

| Catherine Ea | aves, Mayor              |
|--------------|--------------------------|
| ATTEST:      |                          |
| Gooffray D   | Calderon, City Secretary |



To: Honorable Mayor and City Council

Agenda Item: Action Item 3 – Resolution 2022-06-02 Agenda Sponsor: Megan Antrim, City Manager

Memo Submitted By: Geoffrey Calderon, City Secretary

### **SYNOPSIS**

Approve Resolution 2022-06-02, a resolution adopting an amended swimming pool fee schedule for the Fiscal Year 2022 for the Alpine Municipal Swimming Pool.

#### BACKGROUND

- City Administration decided to not increase prices for the 2022 pool season, and accordingly copied the resolution passed by Council on May 4, 2021.
- City Council considered Resolution 2022-04-14 in April and passed the recommendation of City Administration to not increase fees for 2022.
- The need for an individual pool pass was recognized once the pool opened. In addition, City received feedback requesting a senior citizen discount.
- City Administration is re-presenting an updated fee schedule to include an individual season pass and a senior citizen season pass in addition to the family pass rates already approved by City Council.

## **SUPPORTING MATERIALS**

- 1. Resolution 2022-06-02
- 2. Resolution 2022-04-14, passed April 19, 2022
- 3. Resolution 2021-05-07, passed May 4, 2021

## STAFF RECOMMENDATION

**APPROVE:** City Staff supports approval of this resolution.

City Manager

Megan Antrim

City Secretary

Geoffrey Calderon

#### COUNTY OF BREWSTER

#### **RESOLUTION 2022-06-02**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS ADOPTING A SWIMMING POOL FEE SCHEDULE FOR THE FISCAL YEAR 2022 FOR THE ALPINE MUNICIPAL SWIMMING POOL.

WHEREAS, the City Council shall set a rate to charge for swimmers at the Alpine Municipal Swimming Pool pursuant to the Section 74-77 of the Alpine Code of Ordinances; and

WHEREAS, City Administration anticipated no rate change from the prior year when Resolution 2022-04-14 was presented to the City Council; and

WHEREAS, after valuable feedback from residents and pool users, the City has determined that citizens would benefit from further pricing options; and

WHEREAS, the City Council has been presented with updated fees for the Swimming Pool Fiscal Year 2022, and has determined that the proposed fees are appropriate and acceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS THAT:

**SECTION I.** The 2022 pool season schedule and fees hereto attached as Exhibit "A" are hereby approved.

**SECTION II**. This resolution supersedes Resolution 2022-04-14.

**SECTION III**. This Resolution is effective immediately upon its passage.

PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE CITY COUNCIL ON THE 7<sup>th</sup> DAY OF JUNE 2022.

| Catherine Eave | s, Mayor               |
|----------------|------------------------|
| ATTEST:        |                        |
| Geoffrey P. Co | Ideron, City Secretary |

## **EXHIBIT "A"**

#### 2022 SUMMER SEASON

The Alpine Municipal Pool opened on May 31<sup>st</sup>, 2022, and will remain open until Friday, August 12, 2022, with Staff and Weather permitting. Should rain begin to occur frequently, the City reserves the right to cancel the season early.

#### SCHEDULE OF FEES

| PER DAY<br>ADMISSION | ANNUAL SEASON<br>PASS           | POOL PARTY<br>(2 HOURS) | NON SWIMMING<br>ADULTS |
|----------------------|---------------------------------|-------------------------|------------------------|
| Children - \$2.00    | Individual Pass - \$55          | Fee - \$80              | Free of Charge         |
| Adults - \$3.00      | Senior Citizen Pass - \$35      | Deposit - \$30          | -                      |
| _                    | Family (up to 5 members) - \$85 | _                       | _                      |
| -                    | Family (over 5 members) - \$105 | -                       | -                      |

Note: To purchase the senior pass, an individual must be over the age of 55 years and provide identification confirming qualifications for special pricing.

#### TENTATIVE ACTIVITY SCHEDULE

| 11:00 A.M. – 12:00 P.M. | Lap Swimming (Dependent on Staffing)   |
|-------------------------|--|
| 12:00 P.M. – 5:00 P.M.  | General Admission                      |
| 5:00 P.M. – 6:00 P.M.   | Water Aerobics (Dependent on Staffing) |
| 6:00 P.M. – 8:00 P.M.   | Pool Parties                           |

#### **COUNTY OF BREWSTER**

#### **RESOLUTION 2022-04-14**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS ADOPTING A SWIMMING POOL FEE SCHEDULE FOR THE FISCAL YEAR 2022 FOR THE ALPINE MUNICIPAL SWIMMING POOL.

WHEREAS, the City Council shall set a rate to charge for swimmers at the Alpine Municipal Swimming Pool pursuant to the Section 74-77 of the Alpine Code of Ordinances; and

WHEREAS, City Administration anticipates the opening date of the Alpine Municipal Swimming Pool to be Memorial Day Weekend 2022; and

WHEREAS, the City Council has been presented with proposed fees for the Fiscal Year 2022, and have determined that the proposed fees are appropriate and acceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS THAT:

**SECTION I.** The following Municipal Swimming Pool Fee Schedule is hereby adopted:

| PER DAY<br>ADMISSION | ANNUAL SEASON PASS              | POOL PARTY<br>(2 HOURS) | NON SWIMMING<br>ADULTS |
|----------------------|---------------------------------|-------------------------|------------------------|
| Children - \$2.00    | Family (up to 5 members) - \$85 | Fee - \$80              | Free of Charge         |
| Adults - \$3.00      | Family (over 5 members) - \$105 | Deposit - \$30          |                        |

**SECTION II.** This Resolution is effective immediately upon its passage.

PASSED, APPROVED, AND ADOPTED BY A MAJORITY VOTE OF THE CITY COUNCIL ON THE 19th DAY OF APRIL 2022.

Andres "Andy" Ramos, Mayor

ATTEST:

Geoffrey R. Calderon, City Secretary

The State of Texas

City of Alpine

County of Brewster

#### **RESOLUTION 2021-05-07**

A RESOLUTION OF THE CITY COUNCIL THE CITY OF ALPINE, TEXAS ADOPTING A SWIMMING POOL FEE SCHEDULE FOR 2021 FOR THE ALPINE MUNICIPAL SWIMMING POOL.

WHEREAS, the City Council of the City of Alpine SHALL set a rate to charge for swimmers at the Alpine Municipal Swimming Pool as required by the Code of Ordinances, Sections 74-77; and

WHEREAS, the rates of admission per day, yearly pass and pool party for the pool are attached as Exhibit "A" to this resolution.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS THAT:

- 1. That the rates of admission for the Alpine Municipal Swimming Pool be set at the rates here to is attached as Exhibit "A" for the calendar year 2021.
- 2. This resolution shall become effective immediately by the City Council.

PASSED BY A MAJORITY VOTE OF THE CITY COUNCIL OF THE CITY OF **ALPINE, TEXAS ON MAY 4, 2021.** 

Andres "Andy" Ramos, Mayor

andre Can

City of Alpine

Attest:

Cynthia Salas, City Secretary City of Alpine

#### **EXHIBIT "A"**

We anticipate filling the pool in early May and opening Memorial Day weekend. The following schedule shows the proposed fees for your consideration and approval.

Admission Per Day:

Children- \$2.00 Adults- \$3.00

Non-Swimming Adults- No Charge

Yearly Pass:

Family (up to 5 members)- \$85.00 Family (over 5 members)- \$105.00

Pool Party for 2 Hours:

Fee- \$80.00 Deposit- \$30.00



To: Honorable Mayor and City Council

Agenda Item: Action Item 4 - Request to Utilize Bojorquez Law Firm for ETJ Agreement

Agenda Sponsor: Megan Antrim, City Manager

#### **SYNOPSIS**

Approve use of Bojorquez Law Firm to assist with development of an Extraterritorial Jurisdiction Agreement with Brewster County

#### **BACKGROUND**

- On November 16, 2021, Council approved the City Manager (Interim) to obtain legal counsel in regards to a possible conflict of interest of a development outside City limits.
- City Manager (Interim) requested the services of Bojorquez Law Firm. A law firm recommended by the Texas Municipal League (TML) and whose practice is focused on Texas local governments.
- Bojorquez Law Firm was able to assist the City and provided information regarding the need to address the ETJ (extraterritorial jurisdiction). Mr. Bojorquez provided insight into development agreements, service contracts, and/or 1445 agreements and the importance of working with the County to come up with an agreement.
- The City of Alpine has reached out to Brewster County to discuss further.

## **SUPPORTING MATERIALS**

1. None

## STAFF RECOMMENDATION

Approve City Manager to engage in Bojorquez Law Firm services for development of ETJ agreement with Brewster County.

City Manager

Megan Antrim

City Secretary

Geo Calderon



To: Honorable Mayor and City Council

Agenda Item: Action Item 5 - Asgeirsson Large Animal Permit

Agenda Sponsor: Megan Antrim, City Manager

Memo Submitted By: Geoffrey Calderon, City Secretary

## **SYNOPSIS**

Approve a large animal permit application allowing the applicant, Asgeir Asgeirsson, to possess a horse, a mule, and a steer within the City limits. The property in question is located at 1603 Old Marathon Highway.

## **BACKGROUND**

- The Animal Services Department is recommending approval of a large animal permit.
- Article II Keeping Animals, Division 2 Permits, requires that a large livestock permit be
  approved by the City Council, and a public hearing held, prior to livestock and fowl being kept
  within City limits.

### **SUPPORTING MATERIALS**

- 1. Animal Permit Application.
- 2. Photos of the proposed permit.
- 3. Sitemap of the proposed permit.

## STAFF RECOMMENDATION

**APPROVE:** City Staff supports approval of this permit.

City Manager

Megan Antrim

City Secretary

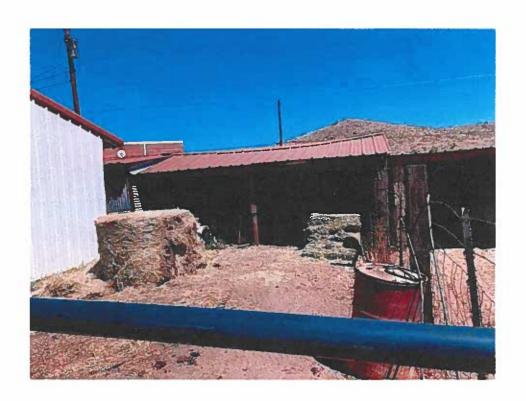
Geoffrey Calderon

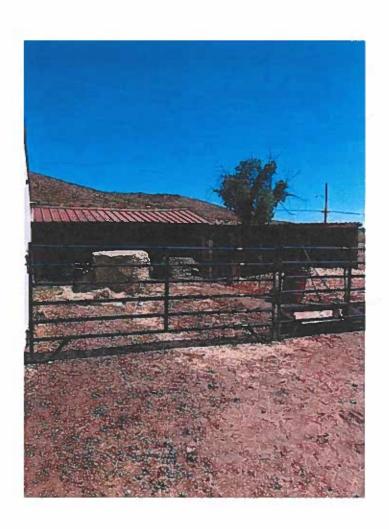


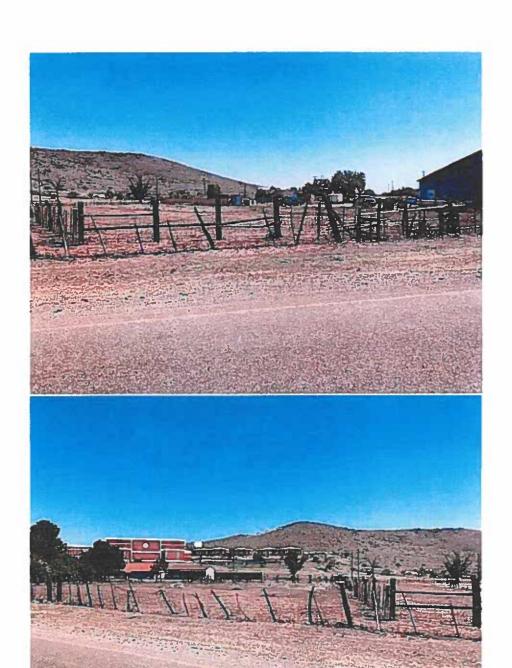
## City of Alpine, Texas

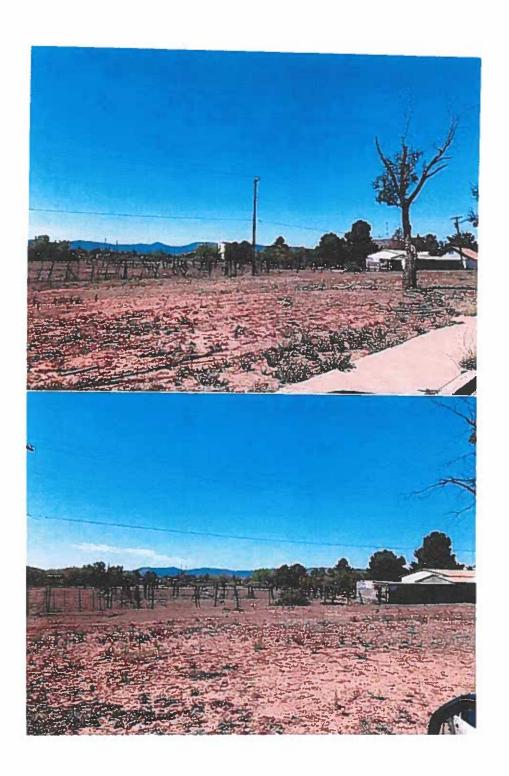
## Animal Permit

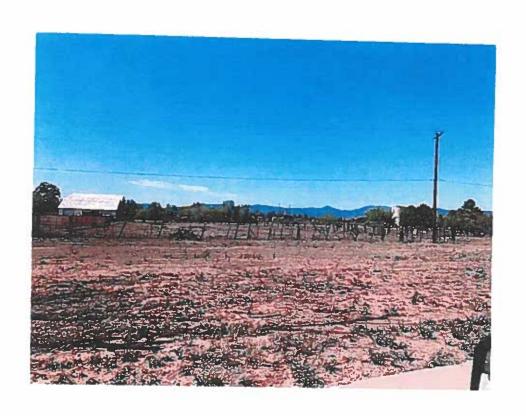
| Date:  | Permit number:         |
|--|------------------------|
| Name: Asgein A   | syeirsson              |
| Address: 1603 061  | Marathun Hwy           |
| Phone number: 936 6  | 97-0849                |
| Type of animal: Horse<br>Name of animal: Waters  | nake, molly, Delicious |
|  | 3 Old Masthan Hwy      |
| Large Animal Permit  Area of pen: 3 a.  Small Animal Permit  Number of animals:  Kind of animal:  Type of enclosure: | N/A                    |
| Received from  | \$                     |
| Owner  | City Official          |

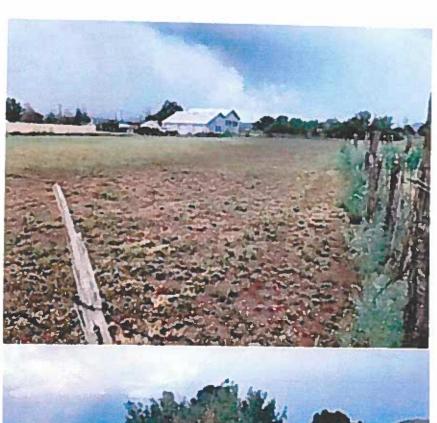




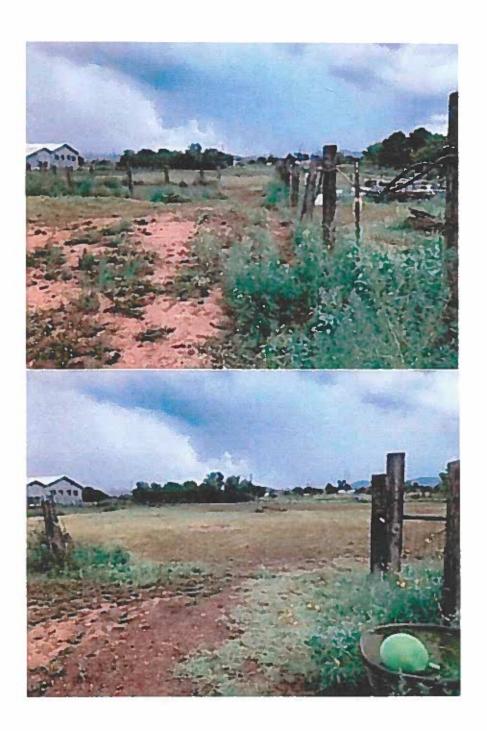


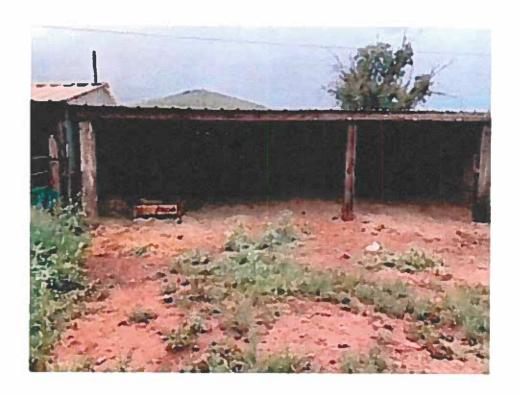


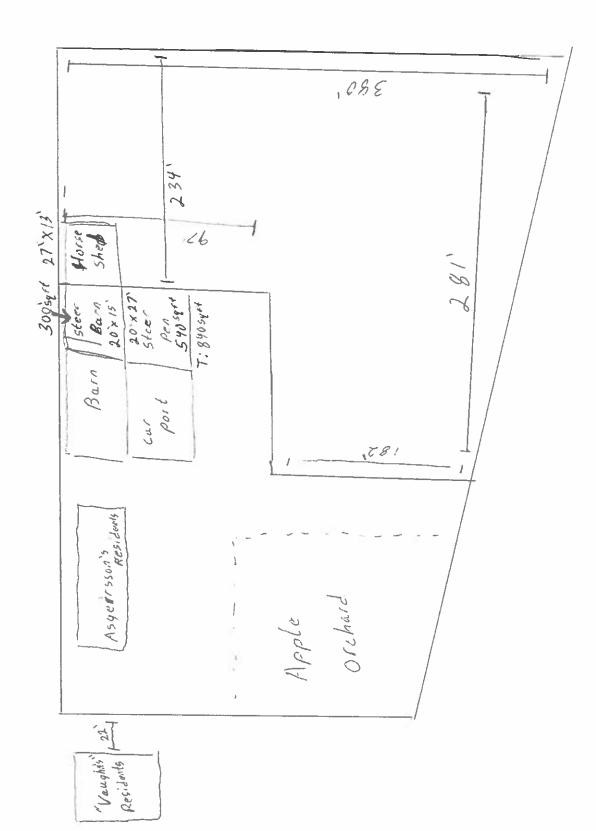












## **SECTION OVERVIEW**

**10.** <u>City Council Member Comments</u> – No discussion or action may take place.

**NOTICE:** The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development).

- 11. Executive Session None.
- 12. Action Executive Session None.
- 13. Adjourn.